

HILLSBORO CITY COUNCIL MEETING
Hillsboro Municipal Court – 130 Homestead Drive

December 12, 2016

At 7:00 p.m., Council President Pro-Tem, Dick Donley, called the Hillsboro City Council meeting to order. The following were present for the meeting: Mayor Drew Hastings, Gary Lewis, Auditor; Fred Beery, Law Director; and Debbie Sansone, Clerk.

ROLL CALL

Bill Alexander, Tracy Aranyos, Dick Donley, Justin Harsha, Claudia Klein, Ann Morris, and Becki Wilkin were present.

MOTION Mr. Donley moved, seconded by Ms. Morris, to excuse the absence of President Lee Koogler. Vote: all yeas.

Mr. Donley led the council in prayer and he asked Mayor Hastings's step-daughter, Willow, to lead the Pledge of Allegiance.

MINUTES

There were no additions or corrections to the meeting minutes from the November 14, 2016 Regular Meeting. The minutes were approved as written.

MONTHLY REPORTS

There were no questions about the November 2016 monthly reports and the clerk read the reports by title only: Auditor, Income Tax Bureau, Police, Public Utilities (includes Street Department), Wastewater Treatment, Water Meter, Water/Sewer Maintenance, and Water Treatment.

PUBLIC REQUESTS

No public requests

COMMUNICATIONS

No communications

CITIZENS' COMMENTS

Tom Eichinger, 410 North High Street, is the Chair of the Planning Commission but addressed Council as a citizen. He expressed concerns regarding the legislation to remove the CIC and the Design Review Board. His comments pertain primarily to the Design Review Board but could in most cases be applied to the CIC as well. Mr. Eichinger said that when the legislation was recommended to Council, there was no discussion about addressing the Board directly to resolve the problem, which should be the first step. There is an ordinance in the city code that defines the Design Review Board but that is not the only place it is mentioned in the code. There are at least two places, possibly three, in the city code where the Board is referenced. Mr. Eichinger warned against dissolving the Board without a having an alternative plan in place. Without a replacement process, anything can happen in the historic district. He recommends waiting to dissolve the Design Review Board, if that is Council's wish, until a plan is in place. He believes that the historic district is worth preserving.

Mr. Donley explained that the committee will have a follow-up meeting regarding this matter and asked that the Clerk notify Mr. Eichinger when the meeting is scheduled. Mary Todd Hardeman, Chair of Design Review Board, asked to address Council. She informed Council that the Design Review Board manual will soon be on the city's web site. She also stated that she has received a number of calls complaining about the barn siding that was used to cover the side of the building on East Main. She assured Council that the material is not approved for the Historic District and no one received permission from the Board to install the siding. The issue is now with the Code Enforcement officer.

Richard Stiffler, North West Street, Apt. 46, offered to share a video with Council to watch a TV episode that he believed related to the Mayor. Mr. Stiffler feels that the Mayor should have been convicted at his trial. He also stated that Mr. Wilkin did a lot for the city. He referenced the police chief's resignation and asked how many more people the city would lose because the Mayor dictates everything that goes on in the town. Mr. Donley asked Mr. Stiffler if he wanted to leave the tape with Council. Mayor Hastings said he would watch it.

Joe Mahan, President of the Hillsboro Uptown Business Association, gave Council a recap of the 2016 events. There were a total of 16 events, with all but one held in the Uptown area. Seven of the events were held in collaboration with the City of Hillsboro and it was the best year yet for cooperation between HUBA and the city. He thanked Council, City of Hillsboro Administration, former Safety and Service Director, Todd Wilkin, former Police Chief Whited, Mayor Hastings, Deb Sansone, and Mindy Gall. He singled-out Heather Collins, describing her as an ambassador for the city. He asked that Council keep HUBA in mind when finalizing the budget. He wished everyone a merry Christmas.

Paul Crouch, 117 North East Street, expressed concerns about who is "minding the store" after the change in Administration, referring to the termination of the Safety and Service Director, Todd Wilkin. He said he appreciates Drew who provides a vision for the city, and the city needs to get back to that. There needs to be an apology on both sides and then move on. The city needs someone to assure that things run smoothly. Mr. Crouch said this is one of the few times he has lived in the city. People need a reason to live in the city. He asked what the vision for the city is and what the agenda is for the upcoming year. Will it involve the parks, centralized trash pick-up, or improved electric rates? The community needs these advantages to off-set the taxes they pay. He also said he wanted to bring some students to Council before they go to Washington DC in April but he was unsure of the decorum he would find after attending the last Council meeting. He would like to see a formal, written vision for the city in the upcoming year.

Mr. Donley said that most of the topics Mr. Crouch mentioned have been discussed. He agreed that the community is somewhat fractured but assured Mr. Crouch that the city is safe, the police department is good, and personnel does occasionally change but the police officers are dedicated to their jobs. Mr. Donley said that speaking for himself, he raised his family in Hillsboro and there will always be problems and disagreements but

the city will get back to functioning well as a city. He pledged to do his best as a member of Council to see that the city progresses.

Ms. Morris added that the vision is still there and everyone is working together to make the city the best it can be. Ms. Aranyos said that all the council members work together, work very hard, and have a lot of ideas. Mr. Donley said he would like to see more people come to the council meetings and get involved with the city.

Mr. Stiffler spoke again saying that many people do not get involved because nothing changes. Mr. Donley said he believes there has been a big change in Hillsboro. Mr. Stiffler wanted to argue but Mr. Donley called order and asked Mr. Stiffler to say what he wanted to say and let Council continue with their meeting. Mr. Stiffler asked if the city could “do away with” the Mayor’s position and have a city manager. Mr. Beery said someone would need to circulate a petition to allow the voters to decide. If passed, an alternate plan of government would be adopted. Ms. Morris asked Mr. Stiffler what he has done in the past ten years to help to make the city better.

COMMUNICATIONS FROM THE MAYOR (Drew Hastings, Mayor)

Mayor Hastings received calls asking why the Christmas Decorations were not displayed Uptown. He made some calls and learned a great lesson in cooperation, one that puts the city back on track. Between Ann Morris, Deb Sansone, Mindy Gall, Alice Wilson, and Shawn Adkins, the wreaths were quickly placed on the lamp posts. Appearances Salon wrapped all the light poles with lights in two days and the Uptown looks great. He thanked everyone for their help.

The Mayor expects to announce an interim Chief of Police and the process to hire a new chief is underway. He met with Sgt. Browder to assure that there are no issues during the transition. City operations are running smoothly and the process for hiring a new Safety and Service Director is also started.

Fraternal Order of Police negotiations to decide wage issues were very quick and provided a lesson in cooperation – a record thirty minutes. It was a win-win for both sides and Mayor Hastings thanked the Police Department’s bargaining unit for their cooperation.

Mayor Hastings asked Council to approve the legislation appointing the newest member to the Design Review Board, Tom Clemons, owner of The Acme Art Factory. Mr. Clemons’ appointment fills the vacancy created by the Mayor’s resignation from the Design Review Board. The Mayor asked that pending legislation to abolish the Design Review Board is removed from the table now that Council’s concerns regarding his presence on the Board were alleviated. He thanked Mr. Harsha for attending the last Design Review Board meeting and asked that he share with Council his insights on the importance of the Board’s activities and relevance.

Mayor Hastings said he was asked to waive a permit fee, which he did, for December 24 for a “Mr. Claus.” He wished everyone a Merry Christmas. There were no questions for the mayor.

SAFETY AND SERVICE DIRECTOR'S REPORT

No report

AUDITOR'S REPORT (Gary Lewis, Auditor)

Mr. Lewis presented the year-to-date fund report and the year-to-date bank report to Council. The reports show a balance of \$7,007,773.93 in various accounts in the form of demand deposits, savings, and investments.

MOTION Ms. Wilkin moved, seconded by Ms. Klein, to accept the Auditor's reports. There was no further discussion. Vote: all yeas. Council accepted the report.

Ms. Morris asked Mr. Lewis if the encumbrances could be included in his monthly reports. Mr. Lewis said the fund report shows the encumbrances. There is an encumbrance report that Ms. Morris can ask for at any time.

Mr. Lewis explained the legislation he presented to Council. It is an annual resolution that allows his office to make adjustments needed within the budget without having numerous special meetings to deal with end-of-year items. Mr. Lewis wished everyone a Merry Christmas.

PLANNING COMMISSION (Mayor Hastings, Chair)

The Planning Commission met on November 21, 2016 at the Hillsboro Firehouse. Tom Eichinger, Mayor Hastings, Ruth Robbins, and Buck Wilkin were present for the meeting. The Commission denied the request from Rodney Ferguson to detach 22 acres on Belfast Pike. Mike Gullet requested a variance for his property at 122 East North Street to remain a two-family unit. He purchased the property as a multi-unit home but variances are lost at the time the property transfers ownership. The Commission agreed to grant a temporary variance for one year or until the zoning code is updated to address multi-family homes in Residential A districts.

Jim Buck and Loy Lutton were introduced to the commission as new members of the Zoning Update Committee. Liz Fields, zoning consultant, was present to discuss changes to Residential "A" zoning as it relates to multi-family homes. The Commission discussed the options for multi-family homes. One main change will be a "grandfather" clause that will allow a structure to continue to exist in a non-conforming use at the same level of use. It can never be used for any other purpose and if it is left vacant for 365 days, it must comply with the current zoning code. If the use changes, it can only change to a less dense use and never to a use of a higher zoning code. Ms. Fields will update sections 155.006 and 155.064 first and present the amendments to Council. The meeting adjourned at 7:26 p.m. There were no questions for Mayor Hastings.

STANDING COMMITTEE REPORTS

FINANCE COMMITTEE (Dick Donley, Chair)

The Finance Committee met on December 6 to discuss the 2017 budget. There will be another meeting to finalize the budget. There were some changes made and the city will

have a balanced budget. All budget meetings are open to the public. There were no questions for Mr. Donley.

PROPERTY MAINTENANCE AND RESTORATION (Ann Morris, Chair)

The Property Maintenance and Restoration Committee met on December 12, 2016 to review a request for a sign variance for the Big Ernie's Pizza located at 834 South High Street. The request involved four signs including the one sign allowed by city ordinance. Two signs are directional and two cover existing signs currently on the building. After some discussion, Mr. Donley moved, seconded by Mr. Harsha, to grant the variance. All voted in favor of the variance. Ms. Morris asked that Council vote on the variance. A meeting with the Finance Committee will be held in January to discuss the legislation concerning the Design Review Board and the CIC. Ms. Morris asked to keep the nuisance property ordinance and unlicensed vehicle ordinance in her committee to review it further. She is still being approached by people concerning these problems. There were no questions for Ms. Morris.

Ms. Morris explained the request for the sign variance to Mayor Hastings and the council.

MOTION Mr. Harsha moved, seconded by Ms. Klein, to approve the sign variance for Big Ernie's Pizza. Vote: all yeas.

CIVIL SERVICE AND EMPLOYEE RELATIONS COMMITTEE (William Alexander, Chair)

No report

STREET AND SAFETY COMMITTEE (Justin Harsha, Chair)

No report

UTILITIES COMMITTEE (Becki Wilkin, Chair)

Ms. Wilkin asked for a 30-day extension of the moratorium on the water-sewer rate increase until she could provide legislation to Council to repeal the scheduled increases.

MOTION Ms. Wilkin moved, seconded by Ms. Aranyos, to extend the moratorium on the water-sewer rate increase for another thirty days. Vote: all yeas. The moratorium on the rate increase will extend until the next council meeting.

ZONING AND ANNEXATION COMMITTEE (Tracy Aranyos, Chair)

No report

COMMUNITY ENHANCEMENT (Claudia Klein, Chair)

No report

Mr. Donley commented that even though there are several "no reports" from committees, many of the council members attend other committee meetings to voice their opinions and concerns.

UNFINISHED BUSINESS

No unfinished business

PASSAGE OF ORDINANCES AND RESOLUTIONS (THIRD READING)

- No legislation

SECOND READING OF ORDINANCES AND RESOLUTIONS

- **Ordinance No. 2016-17** An Ordinance to Repeal the Establishment of a Board or Commission (CIC/HAEDC) *Introduced by Aranyos, Klein, and Morris*
- **Ordinance No. 2016-18** An Ordinance to Repeal the Establishment of a Board or Commission (Design Review Board) *Introduced by Aranyos, Klein, and Morris*
- **Ordinance No. 2016-19** An Ordinance to Establish a Charge to Fund Inflow and Infiltration Abatement in the Sewer Department *Introduced by the Safety and Service Director*

Mr. Donley introduced information on the City of Hillsboro income tax. A set of rules and regulations become effective on January 1, 2017 and the Tax Commissioner assured him that it is a <inaudible> document. Mr. Donley asked for a roll-call vote to accept the income tax rules and regulations for 2017. Mr. Beery explained that the rules and regulations need to approve the forms as well as any explanations of the ordinances that have already been adopted. It helps the administrator pass out instructions for filing. Mr. Beery reviewed it and it matches the code exactly. Even though the administrator has authority to propagate regulations, he prefers that Council approves it, place it in committee for continuous review, and adopt the regulations.

A **Roll Call** vote was made to accept the income tax rules and regulations for 2017. Vote: all yeas.

FIRST READING OF ORDINANCES & RESOLUTIONS

- **Ordinance No. 2016-20** An Ordinance Amending Chapter 155 (Zoning Code) Section 155.006 Nonconforming Uses of the Ordinances of the City of Hillsboro, Ohio *Introduced by President of Council*

Mr. Donley placed the ordinance into the Zoning Committee for review.

- **Ordinance No. 2016-21** An Ordinance Amending Chapter 155 (Zoning code) Section 155.0064 (Powers of Board of appeals; Variances, Special Exceptions, and the Like) of the Ordinances of the City of Hillsboro, Ohio *Introduced by President of Council*

Mr. Donley placed the ordinance into the Zoning Committee for review.

- **Resolution No. 16-43** A Resolution To Increase Appropriations in the General Fund and to Advance Funds from the General Fund to Other Funds as Needed
Recommended by the Auditor

Ms. Aranyos asked for clarification of the legislation from the Auditor. Mr. Lewis explained that when various line items have a negative balance the Auditor can move money around to correct the negative. Miscellaneous General Fund always has a contingency fund used as an emergency line-item that has been used only a few times in the past twelve years. Contingency has been as high as \$150,000, in 2016 it is \$25,000, and for 2017 it is tentatively set at \$75,000 and will be discussed at the budget meeting. It prevents Council's need to meet in special session three or four times at the end of the year.

MOTION Mr. Harsha moved, seconded by Ms. Klein, to approve and adopt Resolution No. 16-43. Vote: all yeas. Council approved and adopted the resolution.

- **Resolution No. 16-44** A Resolution To Approve Design Review Board Member Appointed by the Mayor

MOTION Mr. Donley moved, seconded by Mr. Harsha, to approve the appointment of Tom Clemens. Vote: all yeas. Council approved the appointment.

NEW BUSINESS

No new business.

ADJOURN

MOTION At 9:03 p.m., Ms. Klein moved, seconded by Mr. Harsha, to adjourn. Vote: all yeas.

The next scheduled meeting of the Hillsboro City Council is Monday, January 9, 2017, at 7:00 p.m. in the Hillsboro Municipal Court.

Lee Koogler, President

Debbie Sansone, Clerk